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JUN 03 2004

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE
PATENT APPLICATION

Applicant(s): EKLUND ET. AL.
Case: CON/BRE0004
Serial No.: 09/965,681 Filed: 9/27/01
Group Art Unit: 2818
Examiner: not assigned
Title: Auto CPAP
Commissioner for Patents
Washington, D. C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this
correspondence is being deposited
on 1/27/03 with the
United States Postal Service as
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postage, in an envelope addressed
to the Assistant Commissioner of
Patents, Washington, D.C. 20231.


Signature1/27/03
Date of signature

S I R:

REQUEST AND AMENDMENT TO CORRECT INVENTORSHIP
UNDER RULE 1.48(a)

The correct inventors were not named in the above-mentioned application as originally filed. A request is hereby made to correct the inventorship of this application. Applicants respectfully request amendment of the application to add the following inventors:

Jan Anders Hedner
Hans Petter Knagenhjelm

The above-mentioned inventors were inadvertently omitted from this application through error without any deceptive intention on the part of the actual inventors as attested to in the accompanying statements of each of the above-named inventors. Written consent to the amendment of inventorship by Breas Medical

Match and Return

AB, assignee of this application, is attached. In accordance with 37 C.F.R. 1.48(a)(3), Applicants' attorneys' check in the amount of \$130 to cover the 37 C.F.R. 1.17(i) processing fee is also attached. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fee to Applicants' attorneys' Deposit Account No. 20-0782. A duplicate copy of this Petition and Amendment is submitted to facilitate any charge. Also submitted, in accordance with 37 C.F.R. 1.48(a)(2) is a Declaration by the actual inventors as required by 37 C.F.R. 1.63.

If the Office believes that there are any unresolved issues requiring additional information from any inventor or assignee of this application, it is requested that the Office call Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

11/27/03
Date

By: E. J. Wall

EAMON J. WALL, Attorney
Reg. No. 39,414
(732) 530-9404

MOSER, PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702

INVENTORS' STATEMENT UNDER RULE 1.48(a)(1)

We, the undersigned, were inadvertently omitted from U.S. Patent application Serial No. 09/965,681, filed September 27, 2001, entitled "AUTO CPAP," through error and without any deceptive intention.

Jan Anders Hedner
Inventor Name


Signature

Sept. 12, 2002
Date

Hans Petter Knagenhielm
Inventor Name

Signature

Date

INVENTORS' STATEMENT UNDER RULE 1.48(a)(1)

We, the undersigned, were inadvertently omitted from U.S. Patent application Serial No. 09/965,681, filed September 27, 2001, entitled ~~✕~~ AUTO CPAP, ~~✕~~ through error and without any deceptive intention.

Jan Anders Hedner
Inventor Name

Signature

Date

Hans Petter Knagenhielm
Inventor Name

Signature

Date

H. Hedner
H. Petter Knagenhielm

Oct 8, 2002

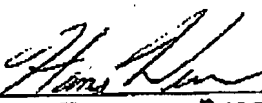
ASSIGNEE CONSENT TO CHANGE OF INVENTORSHIP UNDER RULE 1.48(a)

The undersigned assignee of U.S. Patent Application Serial No. 09/965,681, filed September 27, 2001, entitled ~~§~~ AUTO CPAP, ~~§~~ hereby grants its consent to the following change of inventorship in the application:

(X) Add the following inventors:

Jan Anders Hedner
Hans Petter Knagenhjelm

BREAS MEDICAL AB
Assignee Name


Hans Werner, President

9/17/02
Date

OFFICIAL

MOSER
PATTERSON &
SHERIDAN, LLP
ATTORNEYS AT LAW

595 Shrewsbury Ave, Suite 100
Shrewsbury, MA 01545
TEL 732 530 9808 FAX 732 530 9808
JUN 03 2004
WWW.MPSLLP.COM

FACSIMILE COVER SHEET

DATE: June 3, 2004
ATTORNEY DOCKET NO.: CON/BRE0004
FAX NO: 703-872-9306
FROM: EAMON J. WALL
PAGE(S) with cover: 17
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

TRUE COPIES OF PREVIOUSLY SUBMITTED AND RECEIVED BY PTO (SEE POST CARD RECEIPT STAMPED 2/03/03) REQUEST & AMENDMENT TO CORRECT INVENTORSHIP AND ACCOMPANYING DECLARATIONS (3) ARE SUBMITTED HERewith. ALSO HERewith IS A COPY OF APPLICANTS' CANCELLED CHECK #11390 DATED 1/23/03 IN THE AMOUNT OF \$130. IN A TELEPHONE CONVERSATION TODAY WITH EXAMINER LEWIS, IT WAS DETERMINED THAT THESE PAPERS ARE NOT PART OF THE APPLICATION FILE AND HAVE NOT BEEN PROCESSED. THIS IS AN ALLOWED (ON 3/17/04) APPLICATION. PLEASE PROCESS AS SOON AS POSSIBLE.

TITLE: Auto CPAP
U.S. SERIAL NO.: 09/965,681
FILING DATE: 9/27/01
INVENTOR: Eklund et al.
EXAMINER: Lewis, Aaron J.
GROUP ART UNIT: 3743
CONFIRMATION NO.: 2807

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO, on the date indicated below.

Laura E. Crater
LAURA E. CRATER

6/3/04
Date of signature

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Moser, Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

06/03/04 11:06 FAX 732 530 9808

MOSEY PATTERSON SHERIDAN -> PTO

002

Docket NO.: CON/8880004
Applicant: EKLUND et al
Filed: 9/27/03

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereupon:

☐ Specification (___ pages)
☒ 5 Claims (___ pages)
☐ Abstract (1 page)
☒ Oath or Declaration (3)
☐ Petition
☐ Power of Attorney
☐ Claim of Priority
☒ Check # ___ Amount ___
☒ FIRST CLASS Mail Certificate,
dated 1/27/03

☐ Priority Document
☐ Transmittal Letter (2 copies)
☐ Deposit Acct. Transaction
☐ Assignment + Cover Sheet
☐ FORMAL Drawings (___ sheets)
☐ INFORMAL Drawings (___ sheets)
☐ Disclosure Statement
☐ Applicant's Declaration
☒ Request for Continued Examination
☒ Certificate of Ownership

FEB 3 2004
U.S. PATENT & TRADEMARK OFFICE

This application has been assigned serial number 09/965,681

01/14/2003 03:22 9737984475
US 01/14 17:23 FAX +48 31 884410VITAL SIGNS INC
BRBAS MEDICAL ABPAGE 03
0002

CCN/BRF0004

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
☐ divisional
☐ continuation
☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

Auto CPAP

SPECIFICATION IDENTIFICATION

The specification of which:

- ☐ is attached hereto;
☒ was filed on September 27, 2001, under Serial No. 09/963,681, executed on even date herewith; or
☐ Express Mail No. _____ (Serial No. not yet known)
and was amended on _____ (if applicable)
☐ was described and claimed in PCT International Application No. _____ filed on _____
and as amended under PCT Article 19 on _____.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefit under Title 35, United States Code, §119, of any provisional or foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any provisional or foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

1 of 3

01/14/2003 03:22 9737984425
03/14/14 17:23 FAX +46 31 80VITAL SIGNS, INC.
BREAS MEDICAL ABPAGE 84
003

CONVBREDD04

☐ No such applications have been filed.☒ Such applications have been filed as follows:

- A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. § 119

Country/PCT	Application No	Date Filed	Priority Claimed
Sweden	SE 0003531-1	October 2, 2000	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

- B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application

Country:
Application No:
Filing date:

- C. U.S. Provisional Application filed within 12 months prior to this application

Serial No.	Filing Date

PRIORITY CLAIM (35 U.S.C. §120)

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

☒ No such applications have been filed
☐ Such application have been filed, as follows:

Serial No.	Filing Date	Status	
		Patented/Pending	Abandoned

POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents of Moser, Patterson & Sheridan, LLP, CUSTOMER #26,291 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

CUSTOMER #26,291

Send correspondence to:

MOSER, PATTERSON & SHERIDAN, LLP
 595 Shrewsbury Avenue
 Suite 100
 Shrewsbury, New Jersey 07702

Direct telephone calls to:

RAMON J. WALL
 (732) 530-9404

2 of 3

01/14/2003 03:22 9737984475
00 00 11 24 FAX +98 31 80 00 00VITAL SIGNS INC
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CON/311E0004

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor:

OVE EKLUND

Inventor's signature:

Residence:

36 Bridgefield Park
EY GU 98AW Surrey
Great Britain

Date:

29/10/02

Post Office Address:

same as above

Country of Citizenship: Sweden

Full name of second inventor:

HENRIK BERGFALK

Inventor's signature:

Residence:

Karl Gustavsgatan 23
SE-411 25 Göteborg
Sweden

Date:

29/10/02

Post Office Address:

same as above

Country of Citizenship: Sweden

Full name of third inventor:

JAN ANDERS HEDNER

Inventor's signature:

Residence:

Orangerigatan 4
SE-412 66 Göteborg
Sweden

Date:

Post Office Address:

same as above

Country of Citizenship: Sweden

Full name of fourth inventor:

HANS PETTER KNAGENHJELM

Inventor's signature:

Residence:

Kullavägen 18B
SE-435 43 Pixbo
Sweden

Date:

Post Office Address:

same as above

Country of Citizenship: Norway

3 of 3

CON/BRE0004

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

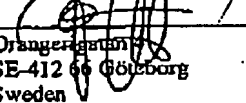
Full name of sole or first inventor: OVE EKLUND

Inventor's signature: _____ Date: _____
Residence: 36 Bridgefield Farnham
EY GU 98AW Surrey
Great Britain
Post Office Address: same as above Country of Citizenship: Sweden

Full name of second inventor: HENRIK BERGFALK

Inventor's signature: _____ Date: _____
Residence: Karl Gustavsgatan 23
SE-411 25 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of third inventor: JAN ANDERS HEDNER

Inventor's signature:  _____ Date: Sept 12, 2002
Residence: Orangeriegatan 7
SE-412 66 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of fourth inventor: HANS PETTER KNAGENHJELM

Inventor's signature: _____ Date: _____
Residence: Kullavagen 18B
SE-435 43 Pixbo
Sweden
Post Office Address: same as above Country of Citizenship: Norway

CON/BRE0004

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor: OVE EKLUND

Inventor's signature: _____ Date: _____
Residence: 36 Bridgefield Farnham
EY GU 98AW Surrey
Great Britain
Post Office Address: same as above Country of Citizenship: Sweden

Full name of second inventor: HENRIK BERGFALK

Inventor's signature: _____ Date: _____
Residence: Karl Gustavsgatan 23
SE-411 25 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of third inventor: JAN ANDERS HEDNER

Inventor's signature: _____ Date: _____
Residence: Orangerigatan 4
SE-412 66 Göteborg
Sweden
Post Office Address: same as above Country of Citizenship: Sweden

Full name of fourth inventor: HANS PETTER KNAAGENHJELM

Inventor's signature: *H. Peter Knaagenhjelm* Date: *Oct 8, 2002*
Residence: Kullavagen 18B
SE-435 43 Pixbo
Sweden
Post Office Address: same as above Country of Citizenship: Norway